

3:10-mc-57

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APR 27 2010

Clerk, U. S. Dist. Court
W. Dist. of N. C.

US District Court

Court clerk

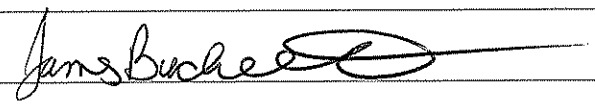
Frank G. Johns

Mr Johns:

Enclosed is a letter I recently received from you in regards to a "Petition for Enlargement of Time" and a money order sent to you for filing of such a petition. I'm afraid we are not "on the same page". There seems to be some confusion regarding my paperwork, I apologize in advance if I was unclear or difficult to understand. The petition of Habeas Corpus that you assigned Civil Action # 3:10-CV-174 was for Case # 99 CR 8395. This petition has already been denied due to timeliness! The \$39.⁰⁰ filing fee was for the "Enlargement of Time" for a entirely different petition, one that has not yet been filed as a Habeas Corpus. Enclosed is a copy of that petition, page two shows how close I am/was on the timing of the Writ. The Case #'s here are 06-CRS-243103 and 243108, this is a separate issue than the writ already filed for and I hope to still file it. Unfortunately though, when I originally filed for it in early April, it was borderline to being untimely. Originally, the petition for Enlargement was returned because it required a \$39.⁰⁰ filing fee I was unaware of. When I got this returned information, I immediately sent the petition

and a \$39⁰⁰ Money order to the Court. In addition, at the same time, I filed the 99CR 8395 case, not thinking they might get mixed up by the Court.

Therefore, in conclusion, I hope you can Approve the Time Enlargement for case # 06 CRS 243103 and 243108. I'm pretty sure they are now officially past the one year time limit by the '96' Anti-terrorism Act. I would very much like to continue with the '06' case in the Habeas Corpus forum. I can proceed with the Writ relatively quick, only a few adjustments to currently make. I hope this letter adequately cleared things up, Sorry again for any confusion

Sincerely, 

James Buchowski 1069522

MVCI

545 Amity Park Rd

Spruce Pine NC 28777

UNITED STATES DISTRICT COURT
OFFICE OF THE CLERK
WESTERN DISTRICT OF NORTH CAROLINA
401 W. Trade St.
Charlotte, NC 28202

Frank G. Johns
Clerk

Telephone - (704) 350-7400
FAX - (704) 344-6703

Terry Leitner
Chief Deputy

April 22, 2010

James Buchnowski
#106522 MSCI
545 Amity Park Rd.
Spruce Pine, NC 28777

RE: Returning Money Order 14-075476206

Dear Mr. Buchnowski:

Our office received the enclosed money order on April 22, 2010 with your motion to enlarge time to file your habeas petition. Your habeas petition was filed on 4/15/2010 and assigned Civil Action No. 3:10-cv-174. You paid the filing fee for that action. Because you have already filed your habeas petition, the motion to enlarge time will be filed in your Civil Action No. 3:10-cv-174, and will not receive a separate miscellaneous number. Therefore, I am returning your check for a miscellaneous filing fee.

Sincerely,

Frank G. Johns
Clerk of Court

enc.

3:10-cv-174

UNITED STATES DISTRICT COURT
OFFICE OF THE CLERK
WESTERN DISTRICT OF NORTH CAROLINA
401 W. Trade St.
Charlotte, NC 28202

Frank G. Johns
Clerk

Telephone - (704) 350-7400
FAX - (704) 344-6703

Terry Leitner
Chief Deputy

April 8, 2010

James Buchnowski
#106522 MSCI
545 Amity Park Rd.
Spruce Pine NC 28777

Re: Return of Documents received 4/7/2010

Mr. Buchnowski:

Enclosed you will find the documents you submitted for filing with our office. The documents are being returned to you for resubmission with the required \$39.00 filing fee. Upon receipt of the documents and required fee, the motion will be assigned a miscellaneous case number and processed accordingly.

In the event you elect to resubmit your motion along with your habeas petition pursuant to 28 U.S.C. 2254, the matter will be assigned a civil case number. The required fee for filing the habeas action is \$5.00 and should accompany the documents when submitted should you elect to file your petition..

Sincerely,

Frank G. Johns
Clerk of Court

enc.